



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Amending Lodi Municipal Code Section 15.44.040A to Increase the Minimum Value of a Construction Project Requiring Off-Site Improvements to \$25,000

MEETING DATE: March 17, 1993

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That, after conducting a public hearing, the City Council introduce an ordinance amending Lodi Municipal Code Section 15.44.040A to increase the minimum value of a construction project requiring off-site improvements to \$25,000.

BACKGROUND INFORMATION: Chapter 15.44 of the City Code calls for the installation of off-site improvements in conjunction with building permits. The purpose of this requirement as stated in Lodi Municipal Code Section 15.44.010 is:

"... to set forth requirements for the installation of nonexistent or inadequate nonconforming public off-site improvements and the dedication of public rights-of-way and easements as a condition to the issuance of a building permit or development approval in order to protect and improve the public's safety, convenience and general welfare."

One of the original reasons for adopting this ordinance was to get sidewalk installed where none exists. Although the City could have started a program of requiring sidewalk installation, the Council felt it was more desirable to link the requirement to other work being done on-site. The ordinance also provides for other improvements to current City Standards. Lodi Municipal Code Section 15.44.040 provided an exemption for small projects, those less than \$10,000 in valuation. This amount was indexed to the Engineering News Record Building Cost Index. Thus, the current "exemption" value is now \$14,700.

One of the recommendations of the Permit Processing Committee was to increase the minimum value of a construction project requiring off-site improvements to \$25,000. This change was recommended for two reasons. The first reason was to reduce the time spent reviewing small projects. This change would have a relatively small effect on the overall permit process since the percentage of projects valued between \$14,700 and \$25,000 is only about 10% of the total number of permits issued. The change will help Public Works staff since the change will reduce the number reviewed by a little over 20%.

APPROVED

THOMAS A. PETERSON
City Manager



recycled paper

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Public Hearing to Consider Amending Lodi Municipal Code Section 15.44.040A to
Increase the Minimum Value of a Construction Project Requiring Off-Site
Improvements to \$25,000

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The second reason for the change has to do with the burden on the property owner. Originally, the main requirement was the installation of sidewalk which only affected a few parcels. For various reasons, standard requirements have increased (mainly water meters, sewer cleanouts and sidewalk repairs). Now, nearly every permit over the \$14,700 valuation needs some "off-site" improvement. The cost to the owner could easily exceed \$1,000 before any sidewalk work is added. Thus, the increase in the exemption amount will reduce the portion of the project cost for required improvements.

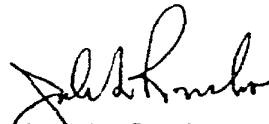
The down side of this change is that some of these improvements are ones the City will eventually undertake. The retrofitting of water meters is a project that the City is doing now. Any that are not installed by the owner as a building permit requirement are ones that will eventually be installed at the water ratepayers' expense.

The Permit Processing Committee discussed this issue in light of a higher exemption valuation or a two-tiered exemption value; i.e., one value for water meters and another for other improvements. In the interest of simplicity and compromise, the \$25,000 figure was recommended.

In any event, the draft ordinance retains the index provision so the exemption valuation will tend to keep pace with construction cost changes. While there are some technical issues concerning which index to use, they are relatively minor. It would be difficult to quantify the effect of using a different index. Again, in the interest of simplicity, it is recommended the method described in the existing ordinance be retained. The only change is the update of the index base number.

The proposed ordinance is shown in Exhibit A.

FUNDING: None required.



Jack L. Ronsko
Public Works Director

Prepared by Richard C. Prima, Jr., Assistant City Engineer

JLR/RCP/lm

Attachments

cc: City Attorney
Permit Processing Committee
Community Development Director

Exhibit A

PROPOSED AMENDMENT TO LMC 15.44.040A

15.44.040 Exemption or deferment.

A. The requirements of Section 15.44.030 do not apply if the cost of development within any twelve-month period is determined by the public works director to be less than ~~ten~~ twenty-five thousand dollars. This amount will be adjusted by the public works director on July 1st of each year, beginning on July 1, 1994, based upon the change of the U.S. Average Engineering News-Record Building Cost Index, using the following formula:

$$\text{Amount} = \$10,000 \text{ } \$25,000 \times \frac{\text{ENR Index for June}}{1936 \text{ } 2838 \text{ (ENR Index for June-1980 June 1932)}}$$

and that the amount shall be rounded to the nearest one hundred dollars.

NOTE: Deleted words are shown in strikeout type; added words are underlined.

ORDINANCE NO. 1569
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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING LODI MUNICIPAL CODE CHAPTER 15.44 - OFF-SITE IMPROVEMENTS AND
DEDICATIONS, SECTION 15.44.040(A) - EXEMPTION OR DEFERMENT

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Lodi Municipal Code Section 15.44.040 is hereby amended to
read as follows:

15.44.040 Exemption or deferment.

A. The requirements of Section 15.44.030 do not apply if the
cost of development within any twelve-month period is determined by the
public works director to be less than twenty-five thousand dollars.
This amount will be adjusted by the public works director on July 1st
of each year, beginning on July 1, 1994, based upon the change of the
U.S. Average Engineering News-Record Building Cost Index, using the
following formula:

Amount = \$25,000 X $\frac{\text{ENR Index for June}}{2838 \text{ (ENR Index for June 1992)}}$

and that the amount shall be rounded to the nearest one hundred dollars.

B. (Section B remains unchanged.)

SECTION 2. All ordinances and parts of ordinances in conflict herewith
are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this day of

PHILLIP A. PENNINO
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1569 was introduced at a regular meeting of the City Council of the City of Lodi held March 17, 1993 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1993 by the following vote:

Ayes:	Council Members -
Noes:	Council Members -
Absent:	Council Members -
Abstain:	Council Members -

I further certify that Ordinance No. 1569 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form

BOBBY W. McNATT
City Attorney

ORD1569/TXTA.01V



CITY OF LODI

CARNEGIE FORUM
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: March 17, 1993

Time: 7:30 p.m.

For information regarding this Public Hearing
Please Contact:

Jennifer M. Perrin
City Clerk

Telephone: 333-6702

NOTICE OF PUBLIC HEARING

March 17, 1993

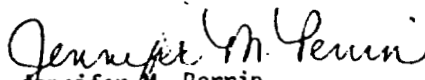
NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) To amend Lodi Municipal Code Section 15.44.040 to increase the minimum value of a construction project requiring off-site improvements to \$25,000

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

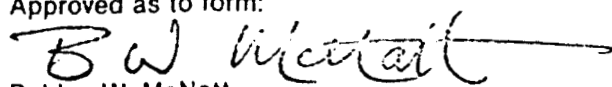
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:


Jennifer M. Perrin
City Clerk

Dated: February 17, 1993

Approved as to form:


Bobby W. McNatt
City Attorney

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY C. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 331-6795
March 8, 1993

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

Mr. Larry Wenell
Permit Processing Review Committee
222 W. Lockeford St., Ste. 9
Lodi, CA 95240

*see mailing list
attached*

SUBJECT: Public Hearing to Consider Amending Lodi Municipal Code
Section 15.44.040A to Increase the Minimum Value of a
Construction Project Requiring Off-Site Improvements to \$25,000

Enclosed is a copy of background information on an item that will be
discussed at the City Council meeting on Wednesday, March 17, 1993,
at 7:30 p.m. The meeting will be held in the City Council Chamber,
Carnegie Forum, 305 West Pine Street. You are welcome to attend.

If you wish to communicate with the City Council, please contact
Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item, please call Richard Prima or me
at (209) 333-6706.


Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk ✓

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&NAME
&COMM
&ADD
&CITY

Mr. Wayne Craig
Permit Processing Review Committee
703 West Pine Street
Lodi, CA 95240

Mr. Larry Wenell
Permit Processing Review Committee
222 W. Lockeford St., Ste. 9
Lodi, CA 95240

Mr. Steve Pechin
Permit Processing Review Committee
c/o 323 West Elm Street
Lodi, CA 95240

Mr. J. Jeffery Kirst
Permit Processing Review Committee
P. O. Box 1259
Woodbridge, CA 95258